

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRANK M. PECK,

Plaintiff,

vs.

DWIGHT NEVEN, *et al.*,

Defendants.

2:13-cv-00782-GMN-CWH

ORDER

This is an action on a civil rights complaint pursuant to 42 U.S.C. § 1983, removed from state court. The complaint was previously screened by the Court. (ECF No. 10). The screening order imposed a 90-day stay and the Court entered a subsequent order scheduling a mediation conference. (ECF Nos. 10 & 14). The minutes from the mediation conference indicate that settlement was not reached. (ECF No. 15). The Office of the Attorney General has filed a status report informing the Court of its intent to proceed with this action. (ECF No. 17).

IT IS THEREFORE ORDERED that:

1. The Clerk shall electronically **SERVE** a copy of this order and a copy of plaintiff's complaint (ECF No. 11) on the Office of the Attorney General of the State of Nevada, attention Kat Howe.
2. Subject to the findings of the screening order (ECF No. 10), within **twenty-one (21) days** of the date of entry of this order, the Attorney General's Office shall file a notice advising the Court and plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the names of the defendants for whom it does not accept service, and (c) the names of the defendants for whom it is filing last-known-address

1 information under seal. As to any of the named defendants for which the Attorney
2 General's Office cannot accept service, the Office shall file, *under seal*, the last
3 known address(es) of those defendant(s) for whom it has such information.

4 3. If service cannot be accepted for any of the named defendant(s), plaintiff shall file a
5 motion identifying the unserved defendant(s), requesting issuance of a summons, and
6 specifying a full name and address for the defendant(s). For the defendant(s) as to
7 which the Attorney General has not provided last-known-address information,
8 plaintiff shall provide the full name and address for the defendant(s).

9 4. If the Attorney General accepts service of process for any named defendant(s), such
10 defendant(s) shall file and serve an answer or other response to the complaint within
11 **sixty (60) days** from the date of this order.

12 5. Henceforth, plaintiff shall serve upon defendant(s) or, if an appearance has been
13 entered by counsel, upon their attorney(s), a copy of every pleading, motion or other
14 document submitted for consideration by the Court. Plaintiff shall include with the
15 original paper submitted for filing a certificate stating the date that a true and correct
16 copy of the document was mailed to the defendants or counsel for the defendants. If
17 counsel has entered a notice of appearance, the plaintiff shall direct service to the
18 individual attorney named in the notice of appearance, at the address stated therein.
19 The Court may disregard any paper received by a district judge or magistrate judge
20 which has not been filed with the Clerk, and any paper received by a district judge,
21 magistrate judge, or the Clerk which fails to include a certificate showing proper
22 service.

23 Dated this 18th day of November, 2013.

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26 UNITED STATES MAGISTRATE JUDGE